

REMARKS/ARGUMENTS

In response to the Office Action dated February 10, 2005, Claims 1-125 remain in this application. Claims 1, 6, 14, 38, 52, 53, 61, 73 and 94 have been amended.

Claims 1-125 were rejected under 35 USC 103(a).

Claim Rejections - 35 U.S.C. § 103

Claims 1-125 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yin, et al. (US Pat. No. 6,475,335) in view of Collins (US 2002/0092618A1).

The cited references are not even slightly relevant to the pending claims. The rejection makes no mention of the failure of the cited references to disclose the limitations of the last two sub-paragraphs of Claim 1 (for example):

"said overhead electrode having a reactance that forms a resonance with the plasma at an electrode-plasma resonant frequency which is at or near said frequency of said generator"

and,

"an insulator formed on a surface of said overhead electrode facing said workpiece support"

In fact, the rejection makes no reference to the foregoing claim language and instead studiously ignores it. Therefore, the cited references are irrelevant to Claim 1, so much so that it is felt that it was unreasonable to cite them against the present invention.

The rejection is erroneous because it treats the claims as

if they simply do not contain the above-quoted claim language.

The rejection fails to make out a prima facie case of obviousness. First, the rejection cites references that lack any relevance to the claims. Secondly, the rejection fails to address or mention salient features of the claims, such as the features corresponding to the claim language quoted above. Therefore the rejection fails to explain how the cited references are relevant to the claim language. Since the rejection completely fails to explain how the references relate to the claim language quoted above, it fails to establish a prima facie case of obviousness.

Therefore, reconsideration of the rejection of Claims 1-125 under 35 USC 103 is respectfully requested based upon the language of (for example) Claim 1 discussed above:

"said overhead electrode having a reactance that forms a resonance with the plasma at an electrode-plasma resonant frequency which is at or near said frequency of said generator"

and,

"an insulator formed on a surface of said overhead electrode facing said workpiece support"

SUMMARY

In view of the foregoing remarks, it is felt that the rejection of the claims under 35 USC 103(a) have been overcome. Therefore, withdrawal of this rejection is respectfully requested and allowance of the application is earnestly solicited.

If, However, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the

claims now pending in the application, the Examiner should telephone Robert Wallace at (805) 644-4035 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,



Dated:

04/08/2005

Robert M. Wallace
Reg. No. 29,119
Attorney for Applicants
Customer No. 000044843

Robert M. Wallace
Patent Attorney
2112 Eastman Avenue, Suite 102
Ventura, CA 93003
(805) 644-4035